

# LAND RECLAMATION COMMISSION

STATE OF MISSOURI

P.O. BOX 176  
JEFFERSON CITY, MISSOURI 65102  
573-751-4041

## Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

### ISSUES TO KISER EXCAVATING

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of  
sand & gravel in the state of Missouri. The extent of the

Proposed mining operation(s) will be on two acres, more or less.

The locations of the operation(s) under this permit is/are as follows: Renewal

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Benton	01	39N	21W	2	0	2	Little Deer Creek	1849

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo. 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

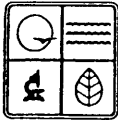
IN WITNESS WHEREOF I have hereunto set my hand this 14th day of May 2004

  
\_\_\_\_\_  
DIRECTOR OF STAFF  
Land Reclamation Commission

Permit No. 0397  
Effective Date 05/18/2004  
Expiration Date 05/17/2005

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MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
**PERMIT RENEWAL FOR INDUSTRIAL MINERAL MINES**

P.O. BOX 176  
JEFFERSON CITY, MO 65102-0176

MISSOURI LAND  
RECLAMATION COMMISSION

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL <b>KISER EXCAVATING</b>		SITE <b>3127104</b>	
ADDRESS <b>37147 BALDWIN AVE</b>	CITY <b>EDWARDS</b>	STATE <b>MO</b>	ZIP CODE <b>65324</b>
CONTACT PERSON <b>DAVID KISER</b>		TELEPHONE NUMBER <b>573-347-2939</b>	

**FEES: COMPLETE SECTION I OR SECTION II**

**SECTION I. Fees: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:**

**1. To compute the site fee complete the information below:**

SITE NAME OR NUMBER (add a separate sheet for additional sites)	Mark each month that the site will be operated during the permit year	For sites operated less than six months per permit year pay \$150 For sites operated six months or more per permit year pay \$300
1. <b>LITTLE DEER CREEK</b>	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
2.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
3.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
4.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
5.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
6.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
7.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
8.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
9.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
10.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
TOTAL SITE FEE		\$

**2. Acreage Fee \$5 X** \_\_\_\_\_ **number of acres bonded** .....\$

**3. Annual Permit Fee** .....\$ 500

**4. Total Fee (Add totals from 1, 2 and 3)** .....\$

**NOTE: If Total Fee exceeds \$2,500.00 then pay only** .....\$ 2,500

**SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:**

**1. Annual Permit Fee** .....\$ 300

SIGNATURE OF APPLICANT 	TITLE <b>CO-OWNER</b>	DATE <b>3-27-04</b>
Appeared before me this <b>27th</b> day of <b>MARCH</b> , 20 <b>04</b> , <b>DAVID KISER</b> to me personally known, who executed the above as their free acts and deeds.		
NOTARY PUBLIC EMBOSSER SEAL	STATE OF <b>MISSOURI</b> SUBSCRIBED AND SWORN BEFORE ME, THIS <b>27th</b> DAY OF <b>MARCH</b> YEAR <b>2004</b> NOTARY PUBLIC SIGNATURE  NOTARY PUBLIC NAME (TYPED OR PRINTED) <b>CELESTA R. HIGHLAND</b>	COUNTY (OR CITY OF ST. LOUIS) USE RUBBER STAMP IN CLEAR AREA BELOW. <b>CELESTA R. HIGHLAND</b> <b>NOTARY PUBLIC STATE OF MISSOURI</b> <b>BENTON COUNTY</b> <b>MY COMMISSION EXP. JULY 11, 2005</b>
FOR DEPARTMENT USE ONLY: APPROVED BY 	DATE APPROVED <b>4/13/04</b>	PERMIT NUMBER <b>0397</b> EXPIRATION DATE <b>5/17/05</b>



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LAND RECLAMATION COMMISSION  
**SITE INFORMATION FORM**

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To be completed for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER Little Deer Creek		PERMIT NUMBER 0377	
COMPANY NAME Kiser Excavating			
COUNTY Benton	1/4 SECTION SE		SECTION 1
TOWNSHIP 39N	RANGE 21W		ACRES 2
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) Little Deer Creek			
MINERAL COMMODITY Gravel		ESTIMATED TONS/YEAR (FOR GRAVEL SITES) Less than 5000 tons per year	

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) Betty Flowers		
ADDRESS RR 2		
CITY Edwards	STATE MO	ZIP CODE 65326
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		DATE OF AGREEMENT 03/24/2001
<input type="checkbox"/> LEASE <input checked="" type="checkbox"/> VERBAL AGREEMENT		

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) Same as above		
ADDRESS		
CITY	STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		DATE OF AGREEMENT
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT		

**NOTE:** Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION

**STREAM PROTECTION PLAN - 10 CSR 40-10.020(2)(D)3**

(Required for in-stream sites, or as required by the Director)

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RECLAMATION COMMISSION  
Company Name: Kiser Excavating

TYPE OF PLAN  
(CHECK ONE):

- ☐ SHORT TERM, FOR ONE PERMIT YEAR  
☒ LONG TERM, FOR PERIOD THROUGH DATE:

DESCRIPTION OF STREAM CONDITION PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING BANK CONDITION, BANK VEGETATION AND WATER QUALITY.

The area to be mined for gravel is 1.3 miles north of MO Hwy 7 on Little Deer Creek west off of County Road 501. This section of the creek is lined with mature trees on both banks. The east bank is flat coming out of a hay field to a small strip of trees. The west bank is tree lined with good vegetation with some solid rock ledges.

DESCRIBE METHODS USED TO REDUCE DAMAGE TO STREAM BANKS, SUCH AS PROTECTING BANK VEGETATION, IF APPLICABLE.

Gravel removal will be excavated between the stream and natural ground side so that the water flow will not be redirected. A twenty-five (25) foot wide strip of gravel will be left undisturbed between operation and stream bank vegetation.

DESCRIBE METHODS USED TO REDUCE DAMAGE TO STREAM ENVIRONMENTS, SUCH AS KEEPING ACTIVE MINING OPERATIONS ON GRAVEL BARS, RATHER THAN IN FLOWING WATER, AND KEEPING HAUL ROADS AWAY FROM FLOWING WATER, IF APPLICABLE.

Access is directly onto the gravel bar with all work being done on gravel bar away from natural flow of water.

We will not excavate gravel from below the normal water level.


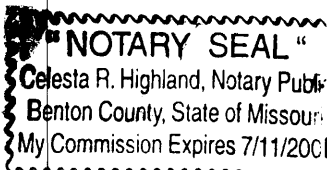
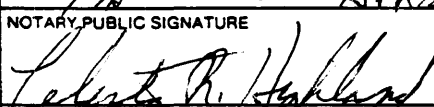
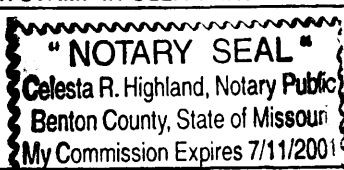

DESCRIBE METHODS USED TO PROTECT WATER QUALITY, SUCH AS INSTALLING EROSION CONTROL DEVICES, IF APPLICABLE.

Gravel removal will be restricted to periods of low flow.

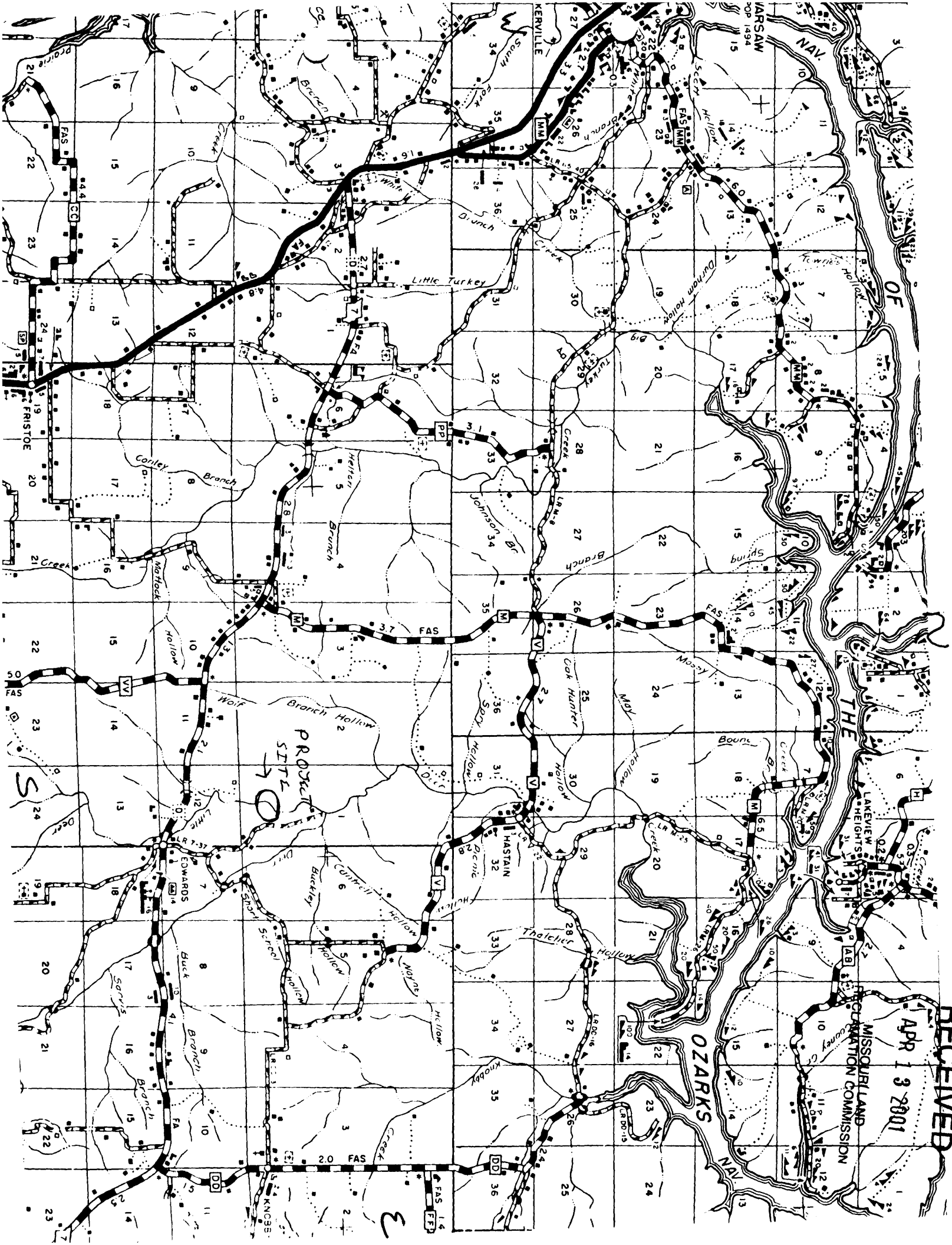
A twenty-five(25) foot strip of gravel will be left undisturbed between the excavation area and stream side vegetation. A buffer strip will also be left between the excavation and the flowing portion of the stream.

By my signature, I attest to the following:

- 1) All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
- 2) I or the company I am authorized to represent intend(s) to mine in accordance with this Plan, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.789, RSMo (Supp. 1990), and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
- 3) I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no right to grant such access, I have attached signed affidavits from the landowners granting such access.

SIGNATURE OF APPLICANT 		TITLE Co-owner	DATE 4-9-01
Appeared before me this <u>9th</u> day of <u>April</u> , <u>2001</u> . <u>DAVID KISER</u> to me personally known, who executed the above as their free acts and deeds.			
NOTARY PUBLIC EMBOSSEER SEAL  	STATE OF <u>MISSOURI</u> SUBSCRIBED AND SWORN BEFORE ME, THIS <u>9th</u> DAY OF <u>April</u> , <u>2001</u> NOTARY PUBLIC SIGNATURE  NOTARY PUBLIC NAME (TYPED OR PRINTED) <u>CELESTA R. HIGHLAND</u>	COUNTY (OR CITY OF ST. LOUIS) <u>BENTON</u> USE RUBBER STAMP IN CLEAR AREA BELOW.	
APPROVED BY (DIRECTOR'S REPRESENTATIVE) 		TITLE CAS III	DATE APPROVED 5-21-01

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MISSOURI LAND  
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7 Highway

SE 1370

.08 mile

SE 601

.05 mile

4' BANK  
LITTLE

DEER

14' ROCK SLOPE  
CREEK

440' x 100'

GRAVEL

BAR

HAY  
FIELD

TIMBER

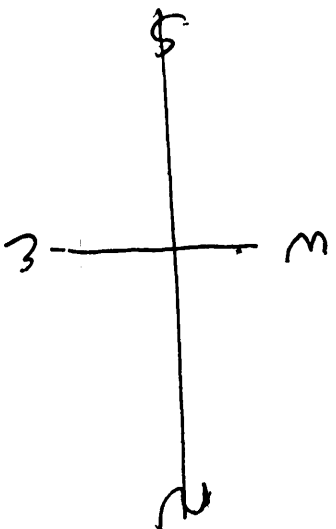
LINE

1/4 mile

GATE

DEAD  
END

4' BANK



KISER EXCAVATING  
RR 3 Box 3131  
Edwards MO 65526